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CONGRESSIONAL TESTIMONY

Combating the Haqqani Terrorist Network

Testimony before the

**Committee on Foreign Affairs, Subcommittee
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The Case for Designation

The Obama Administration's designation of the Haqqani network as a foreign terrorist organization (FTO) is an important step that will facilitate U.S. objectives in Afghanistan by building Afghan confidence in the U.S. as a reliable partner; pressuring Pakistan to deal more effectively with the deadly network; and assisting the U.S. in attacking the group's financial network.

Administration officials have expressed frustration with Pakistan's lack of willingness to confront the Haqqani network, which is based in North Waziristan and Kurram Agency in Pakistan's Federally Administered Tribal Areas (FATA). Since the Administration failed in its efforts to cajole Pakistan to either take action against the Haqqanis or use its ties to the group to bring it to a compromise at the negotiating table, U.S. officials had little choice but to corner Islamabad on the issue. Pakistani officials repeatedly questioned why they should take military action against the Haqqanis if the U.S. was seeking a negotiated settlement. With this terrorist designation, the U.S. leaves no doubt on where it stands on the issue and thus removes a Pakistani excuse for failing to take military action.

Designating the Haqqani network an FTO will also help pressure the group financially, particularly regarding its fundraising activities in Saudi Arabia and the United Arab Emirates. The U.S. has already sanctioned nine Haqqani leaders, but designating the entire network could help tighten the noose on the organization. A recent report by the Combating Terrorism Center at West Point details how the Haqqani network has evolved into a "sophisticated, diverse, and transnational crime network." The report notes that the Haqqanis have never faced a sustained campaign against their financial networks.¹

The designation will help focus the attention of relevant U.S. government agencies and require them to focus more resources on the problem. Designating a group as an FTO brings clarity and precision to the interagency process for implementing policies that weaken the group and shut down its ability to conduct attacks.² FTO designations require an interagency process involving the Departments of State, Justice, Homeland Security, and the Treasury. An organization designated an FTO is subject to financial and immigration sanctions. The Secretary of State is authorized to designate an organization an FTO if it is foreign, engages in terrorist activity, and threatens the security of U.S. citizens or the national security of the U.S. Although there are multiple terrorist lists kept

¹Gretchen Peters, "Haqqani Network Financing: The Evolution of an Industry," Combating Terrorism Center at West Point, July 31, 2012, <http://www.ctc.usma.edu/posts/haqqani-network-financing> (accessed September 11, 2012).

²Audrey Kurth Cronin, "The 'FTO List' and Congress: Sanctioning Designated Foreign Terrorist Organizations," *Congressional Research Service Report for Congress*, October 21, 2003, <http://www.fas.org/irp/crs/RL32120.pdf> (accessed September 11, 2012).

by the U.S. government, the FTO list is particularly useful. The FTO list not only involves specific legal actions against a designated group, it also publicly stigmatizes the organization, which can assist in garnering cooperation from foreign governments.

Who Are the Haqqanis?

Jalaluddin Haqqani is a powerful independent militant leader whose followers operate mainly in eastern Afghanistan from their base in North Waziristan in Pakistan's tribal border areas. He has been allied with the Afghan Taliban for nearly 16 years, having served as tribal affairs minister in the Taliban regime in the late 1990s. Jalaluddin's son, Sirajuddin, has in recent years taken operational control of the militant network.

The Haqqani network has been a major facilitator of the Taliban insurgency in Afghanistan, and is responsible for some of the fiercest attacks against U.S. and coalition forces, Afghan civilians, and U.S. civilian interests in the country. Haqqani fighters were responsible for the storming of the Serena Hotel in Kabul during a high-level visit by Norwegian officials in January 2008; a suicide attack against the Indian embassy in Kabul in July 2008 that killed two senior Indian officials and over 50 others; a suicide attack on a CIA base in Khost Province in December 2009 that marked the most deadly attack on the CIA in 25 years; an attack on the U.S. Bagram Air Base in mid-May 2010; a multi-hour siege of the U.S. embassy in Kabul in September 2011; and a complex and coordinated attack on U.S. Base Camp Salerno in Khost Province on June 1.

According to official American estimates, Haqqani operations account for about one-tenth of attacks on coalition troops, and about 15 percent of casualties. Former U.S. Ambassador to Afghanistan Ryan Crocker recently called the Haqqani fighters "the worst of the worst...a group of killers, pure and simple."³

The source of the Haqqanis' power lies primarily in their ability to forge relations with a variety of different terrorist groups (al-Qaeda, the Afghan Taliban, the Pakistani Taliban, and India-focused groups like the Jaish-e-Muhammed), while also maintaining links to Pakistani intelligence. Pakistani military strategists view the Haqqani network as their most effective tool for blunting Indian influence in Afghanistan. U.S. officials have appealed to Pakistani leaders to crack down on the Haqqani network, but have been rebuffed with declarations that the Pakistani military is over-stretched and incapable of taking on too many militant groups at once.

Pakistan's Relationship with the Haqqani Network

Pakistan is unlikely to take any immediate steps to help the U.S. counter the Haqqani network. However, over time, the designation could help shift thinking within the senior

³Mark McDonald, "Taliban Rages over U.S. Decision on Terrorist Group," *International Herald Tribune*, September 9, 2012, <http://rendezvous.blogs.nytimes.com/2012/09/09/taliban-rages-over-u-s-decision-on-terrorist-group/> (accessed September 11, 2012).

Pakistani military ranks toward viewing the Haqqani network as more of a liability than an asset when it comes to Pakistan's regional standing. Up to this point, Pakistani military officials appear to have calculated that the U.S. would acquiesce to a strong Haqqani role in any future dispensation in Afghanistan. With the FTO designation, the U.S. is signaling that it will work to prevent the Haqqani network from re-establishing its base in Afghanistan unless the group moderates its behavior and breaks ties to al-Qaeda.

Islamabad's dual policies toward terrorism—assisting the U.S. in some operations against al-Qaeda while supporting the Taliban, the Haqqani network, and terrorist groups fighting India—is jeopardizing the overall U.S. and NATO mission in Afghanistan. Islamabad's inconsistent approach to terrorism also undermines the stability of the state. Several thousand Pakistani civilians and security forces have lost their lives to attacks by the Tehrik-e-Taliban Pakistan (TTP) since its creation in 2007. The Haqqani network has a relationship with the TTP and has likely facilitated its ability to attack the Pakistani state.⁴ The violence perpetrated by TTP, the Afghan Taliban, the Haqqani network, and al-Qaeda is mutually reinforcing and helps perpetuate each group's ability to conduct attacks against the targets it chooses.⁵ Despite the links of the Haqqanis to al-Qaeda and the TTP, Pakistan's directorate of Inter-Services Intelligence (ISI) continues to cooperate with—rather than confront—them.

Documents found at Osama bin Laden's compound after the May 2, 2011 raid on his compound in Abbottabad, which were released to the public earlier this year, also reveal a close operational relationship between the Taliban and al-Qaeda. Just as the Haqqani leadership has repeatedly pledged its loyalty to Taliban leader Mullah Omar, Ayman al-Zawahiri swore allegiance to Omar via a June 2011 video shortly after he took command of al-Qaeda. This past weekend, Sirajuddin Haqqani announced he would request Mullah Omar's blessing for a "blitzkrieg" against U.S. and NATO forces in coming months.

Peace Talks: Grounds for Skepticism

One of the most frequent arguments against designating the Haqqani network an FTO has been that it could upset fragile efforts to engage in peace negotiations. The U.S. has been involved in on-again, off-again peace talks with the Taliban for nearly two years. U.S. officials also met with the brother of Jalaluddin Haqqani, Hajji Ibrahim Haqqani, about a year ago in an effort to explore opportunities for engagement. According to credible media reports, Pakistan's intelligence service pushed for and helped broker the meeting.⁶ Shortly after that meeting, Haqqani fighters carried out the siege of the U.S. embassy in Kabul, apparently signaling their lack of interest in negotiations.

⁴Don Ressler and Vahid Brown, "The Haqqani Nexus and the Evolution of al-Qaida," Combating Terrorism Center at West Point, July 14, 2011, p. 17.

⁵Ibid., p. 47.

⁶Eric Schmitt and David E. Sanger, "U.S. Seeks Aid from Pakistan in Peace Effort," *The New York Times*, October 30, 2011, <http://www.nytimes.com/2011/10/31/world/asia/united-states-seeks-pakistan-spy-agencys-help-for-afghan-talks.html?pagewanted=all> (accessed September 11, 2012).

The U.S. must be realistic about the potential for negotiating a peace settlement with the Haqqanis while they still enjoy safe haven in Pakistan's tribal border areas. The Administration must avoid the temptation to pin false hopes on a political reconciliation process merely to justify a troop withdrawal. Political reconciliation is desirable, but only if it contributes to the goal of ensuring that Afghanistan never again serves as a safe haven for global terrorists.

For reconciliation talks to succeed, both the Taliban and Haqqani network would have to come under more pressure inside Pakistan. The Haqqanis have a power base in eastern Afghanistan distinct from that of the Taliban's influence in southern Afghanistan, yet they coordinate closely and there is very little chance of splitting the two groups from one another, as some analysts have suggested.

The Taliban's recent opening of a political office in Qatar—while a potentially positive step—should not be viewed as a major breakthrough for peace talks. A genuine breakthrough would be a Taliban denunciation of al-Qaeda and its international campaign of terrorism. There should also be clear indicators that Taliban leaders are genuinely ready for political compromise.

The U.S. is reportedly considering transferring five top Taliban leaders from Guantanamo Bay prison to Qatar to help foster talks with the Taliban. Given several past examples of Taliban leaders returning to the battlefield as soon as they are released from U.S. custody, the U.S. must demand meaningful reciprocal action from the Taliban before it releases any more prisoners. According to the U.S. Director of National Intelligence, of the 599 prisoners that have been released from the Guantanamo facility since it opened in 2002, 167 (about 28 percent) have either re-engaged, or are suspected of having re-engaged, in insurgent or terrorist activity.⁷

Afghan Taliban military chief Mullah Abdul Qayyum Zakir, aka Abdullah Ghulam Rasoul, who had been captured in Afghanistan in 2001, was sent to Guantanamo in 2006, transferred back to Afghan government custody in 2007, and then eventually released in May 2008.⁸ He became Mullah Omar's second-in-command in 2010 after Mullah Beradar was jailed by the Pakistani authorities. Zakir went on to coordinate a major Taliban offensive in spring 2011 code-named Operation Badar and may be responsible for more allied deaths than any other Taliban leader.⁹

⁷“Summary of the Reengagement of Detainees Formerly Held at Guantanamo Bay, Cuba,” Director of National Intelligence, as of December 29, 2011, http://www.fas.org/irp/news/2012/03/recid_2012.pdf (accessed September 11, 2012).

⁸Seth G. Jones, “Mullah Sprung from Gitmo Jail Now Leads Foe in Afghan Campaign,” RAND Corporation, July 5, 2009, at <http://www.rand.org/commentary/2009/07/05/NYP.html> (accessed September 11, 2012).

⁹Ron Moreau, “The Taliban After Bin Laden,” *Newsweek*, May 15, 2011, <http://www.thedailybeast.com/newsweek/2011/05/15/the-taliban-s-plan-for-an-epic-afghan-surge.html> (accessed September 11, 2012).

Another Guantanamo prisoner that was transferred from U.S. custody, Yousef Muhammed Yaqoub, returned to Afghanistan in 2004, aided an insurgent jailbreak in Kandahar, and was then killed by U.S. forces.¹⁰ Abdullah Mehsud, who spent nearly two years at Guantanamo before his release in 2004, also returned to the battlefield and was believed to have commanded nearly 5,000 Taliban fighters before he was reportedly killed in 2007 during a raid by Pakistani forces in the Baluchistan Province of Pakistan.

The U.S. misread the intentions of the Taliban and underestimated the strength of its bond with al-Qaeda when the U.S. sought to engage the Taliban before 9/11. U.S. diplomats, acting largely on inaccurate advice from Pakistani leaders, overestimated their own ability to influence decision-making within the Taliban leadership. As Michael Rubin, Middle East expert at the American Enterprise Institute, noted in 2010, U.S. attempts to engage the Taliban from 1995 to 1999 represent “engagement for its own sake—without any consideration given to the behavior or sincerity of an unambiguously hostile interlocutor.” Rubin details how U.S. State Department officials were repeatedly misled by Taliban officials harboring Osama bin Laden even after al-Qaeda attacked two U.S. embassies in Africa in 1998. As Rubin noted, “face-to-face meetings with Americans served only to reinforce the Taliban gang’s pretensions as a government rather than as an umbrella group for terrorists.”¹¹

In seeking talks with the Taliban now, the Administration must avoid the same pitfalls U.S. officials fell into during the 1990s that ultimately helped set the stage for the 9/11 attacks. If the Taliban is able to reassert influence in Afghanistan without making the political compromises necessary for peace in the region, the U.S. will not only fail the Afghan people, who have already suffered under Taliban rule, but it will also sacrifice U.S. national security by allowing a violent, anti-Western Islamist ideology to succeed in the region and again play host to a revived al-Qaeda.

There is some fragmentary information that points to potential Taliban willingness to compromise for a political solution in Afghanistan, but it must be dealt with cautiously. Afghan expert and former European Union diplomat Michael Semple asserts that the Taliban would be willing to break with al-Qaeda and take the role of “junior partner” in a future Afghan political dispensation.¹² Semple’s statements must be weighed against other credible assessments of Taliban calculations that indicate the leadership believes it can simply wait out U.S. and NATO forces. In a “secret” NATO report leaked to the British media earlier this year, Taliban insurgents told their interrogators that they are

¹⁰“Raw Data: Former Gitmo Detainees Who Returned to Terrorism,” Fox News, December 30, 2009, <http://www.foxnews.com/politics/2009/12/30/raw-data-gitmo-detainees-returned-terrorism/> (accessed September 11, 2012).

¹¹Michael Rubin, “Taking Tea with the Taliban,” *Commentary*, February 2010, p. 11.

¹²Emma Alberici, “Michael Semple Discusses Afghan situation,” video, Australian Broadcasting Corporation, September 4, 2012, <http://www.abc.net.au/lateline/content/2012/s3583027.htm> (accessed September 11, 2012).

increasingly confident that the Taliban will retake power once NATO forces depart Afghanistan, and that Pakistan is positioning itself for such an outcome.¹³

Pakistan's Reliance on Militancy and Its Contribution to International Terrorism

Pakistan has relied on proxy militant fighters to achieve its strategic regional objectives since partition of the subcontinent. In 1947, Pakistan's leadership sent a group of irregular forces (a tribal lashkar) into Indian-controlled Jammu and Kashmir in an effort to encourage the region to secede to Pakistan. In 1965, the Pakistani military carried out Operation Gibraltar, in which Pakistan again infiltrated armed guerillas across the cease-fire line to spark a rebellion against Indian rule. At that time, Pakistani leaders feared that India's effort to integrate Kashmir was working, and they believed that infiltrating militants was the only way to force India to the negotiating table. As in 1947, the 1965 attempt to provoke widespread opposition against Indian rule failed and Pakistan was forced to accept another humiliating military defeat.

Similar to Pakistan's strategy for keeping India off balance in Kashmir, Pakistan also supports the Taliban and the Haqqani network to keep Afghanistan off balance. Pakistan views Jalaluddin Haqqani and his son Sirajuddin as important power brokers in the region who would help protect Pakistani interests in Afghanistan following any departure of U.S. and NATO forces. Pakistan's reluctance to play a helpful role in promoting Afghanistan reconciliation and its defiance of U.S. calls to break ties to groups attacking the U.S. in Afghanistan is pushing the region into deeper conflict. As U.S. national security expert Anthony Cordesman has noted, the U.S. inability to convince Pakistan to give up support for the Taliban, the Haqqani network, and other terrorist groups has been a "critical failure" of U.S. strategy in the region.¹⁴

Pakistan's support of various violent groups has often backfired domestically. Some of these groups have turned their guns on the Pakistani state and attacked civilians as well as security forces throughout the country. The Pakistan Army's support for militancy as an instrument of foreign policy has also contributed to the erosion of religious tolerance and created links between the Islamist political parties and militant groups that are destabilizing and eating away at the fragile democratic underpinnings of the state.¹⁵ Internationally respected human rights defender Asma Jahangir exhorted her fellow countrymen in an op-ed in April to "fully comprehend, admit, and face up to the challenges thrown at the country by militant non-state networks," noting that the

¹³Laura King, "NATO Report Says Taliban Captives are Confident of Victory," *Los Angeles Times*, February 1, 2012, http://latimesblogs.latimes.com/world_now/2012/02/nato-report-says-taliban-captives-are-confident-of-victory.html (accessed September 11, 2012).

¹⁴Anthony H. Cordesman, "The Afghanistan-Pakistan War at the End of 2011: Strategic Failure? Talk Without Hope? Tactical Success? Spend Not Build (and then Stop Spending)?" Center for Strategic and International Studies, November 15, 2011, <http://www.humansecuritygateway.com/showRecord.php?RecordId=36405> (accessed September 11, 2012).

¹⁵Husain Haqqani, "The Ideologies of South Asian Jihadi Groups," *Current Trends in Islamist Ideology*, (April 2005), p. 14.

country's leaders were "conceding territorial and political ground to jihadis of all types and nationalities."¹⁶

Policy Recommendations

While the elimination of Osama bin Laden and his top deputies over the past year have significantly degraded the organization, it is wrong to assume that the fight against global terrorism is over and that the U.S. can simply turn its attention elsewhere. The U.S. still faces formidable threats from terrorists associated with and inspired by al-Qaeda that currently find refuge in Pakistan and could easily set up shop again in Afghanistan if the Taliban regains influence. Designating the Haqqani network a terrorist organization is a good step in clarifying U.S. objectives in Afghanistan and increasing pressure on Pakistan to align its Afghanistan policies with those of the rest of the international community. Moving forward with its Afghanistan–Pakistan strategy, the U.S. should:

- **Establish a process of negotiations that is jointly led with the current Afghan government, is transparent, preserves the human-rights improvements of the past decade, and implements measures that ensure that the Taliban must participate in a normal political process.** As part of this process, the U.S. must be able to verify that the Taliban has broken ranks with al-Qaeda and its allies to ensure that negotiations do not allow international terrorists to regain a foothold in the region. The U.S. must also ensure that negotiations with the Taliban do not interfere with the U.S. ability to keep troops stationed in Afghanistan for training and counterterrorism purposes long after 2014.
- **Slow down troop withdrawals and make clear that the U.S. plans to remain closely engaged diplomatically, financially, and militarily with Afghanistan over the long haul.** President Obama's continued focus on troop withdrawals gives the impression that the U.S. is rushing for the exits, which is creating fear and uncertainty among the Afghans and causing President Karzai to become a less reliable partner. The scope and pace of withdrawals over the next two years should be determined by U.S. military commanders on the ground, not by U.S. electoral politics.
- **Pressure Pakistan to support the U.S.-led strategy in Afghanistan and demonstrate that Islamabad's failure to help stabilize Afghanistan will result in decreased U.S. military aid and diplomatic engagement.** Some Administration officials believe that Pakistan will never cooperate with U.S. goals in Afghanistan and thus advocate immediate aid cuts, or even a complete severing of U.S.–Pakistan relations. A better strategy is to convince Pakistani military leaders that pursuing a broad crackdown on violent Islamist groups in the country will strengthen Pakistan's economic and political outlook and overall regional position. Pakistani military leaders have so far resisted cracking down on Taliban and Haqqani network sanctuaries largely because of their failure to envision a new strategy that both protects Pakistan's regional interests and uproots support

¹⁶Asma Jahangir, "The Path of Isolation," *The Dawn*, April 24, 2012, at <http://dawn.com/2012/04/24/the-path-of-isolation-2/> (accessed September 11, 2012).

for terrorist activities and ideology. Islamabad's practice of relying on violent Islamist proxies in Afghanistan (and India) has backfired badly on Pakistan and there is increasing recognition among Pakistanis that a Taliban-dominated Afghanistan would likely have a destabilizing impact on Pakistan. U.S. officials must build on this sentiment by convincing Pakistani leaders that unless they use their resources now to force the Taliban to compromise in Afghanistan, Pakistan will suffer under an emboldened Taliban leadership that will project its power back into Pakistan. Moreover, Pakistan will face increasing regional isolation and lose credibility with the international community for continuing policies that encourage terrorism and endanger the safety of civilized nations.

- **Focus more diplomatic attention on working with NATO partners to develop a coordinated strategy toward Pakistan.** If Pakistan continues to pursue an independent Afghanistan policy that involves support to insurgents, the U.S. and NATO partners must look beyond Pakistan and toward other like-minded partners in the region, such as India and the Central Asian states, to help bring peace to the country. In these circumstances, the U.S. and major international partners, such as the United Kingdom, France, and Germany, should also demonstrate their willingness to sanction Pakistan for its unhelpful policies on Afghanistan, including the blocking of International Monetary Fund and World Bank loans, which are critical to the health of the Pakistani economy. If Pakistan wishes to be part of the international solution in Afghanistan, it must demonstrate a willingness to squeeze insurgents on its territory and use leverage to bring them to compromise with Afghan authorities and coalition partners. Otherwise, the U.S. and NATO must try to isolate Pakistan in the region, and limit to the greatest extent possible its ability to influence developments in the country.

Conclusion

The Pakistan military leadership seems to believe it can outlast the U.S. and NATO in Afghanistan and simply absorb any negative consequences of its policies over the next two years until U.S. and NATO combat forces are withdrawn from Afghanistan. But they are not taking into account the bad will they are creating by their intransigent policies, or the likelihood that the U.S. will remain substantially engaged in Afghanistan long after 2014. The way that Pakistan deals with Afghanistan over the next two years will have a lasting impact on how Pakistan is viewed and treated by the international community. Pakistani brinkmanship in Afghanistan is likely to have high costs for the country over the long-term.

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